

Water Resources Development Act of 2010

SEC. ____ Sacramento-San Joaquin Watershed, California

- (a) In General – the Secretary, through the Corps of Engineers, is participating in the development of the Bay Delta Conservation Plan (BDCP), a multispecies conservation plan being developed pursuant a planning agreement dated October 6, 2006. The Secretary is authorized to undertake the implementation of BDCP projects for purposes as defined in the BDCP, including but not limited to flood control and habitat restoration. The Secretary is directed to prepare a report by December 31, 2012 describing the appropriate Federal interest and role for the Corps of Engineers to participate in partnership with other federal and state agencies in the implementation of BDCP.
- (b) Habitat Restoration – effective immediately, the Corps of Engineers shall assist in the study, design, land acquisition, engineering, and implementation of habitat restoration projects identified as part of BDCP as high priorities for near-term implementation. The Corps may participate directly or by agreement with other qualified entities. The Corps shall evaluate such projects' ability to improve flood management capability, and/or to ensure that such projects do not reduce the existing flood management capability in the affected areas. The Corps is directed to exercise its authorities to facilitate and to expeditiously complete any required regulatory review of similar restoration projects proposed by other qualified entities. At a minimum, the Corps shall participate immediately in the implementation of the following projects:
1. Yolo bypass operations. The Corps is authorized to participate along with other Federal, State, and local agencies in the study, design, evaluation, engineering, permitting, and implementation of a number of projects proposed under the BDCP for improving the habitat of certain endangered fish species, as part of the conservation measure entitled "Yolo Bypass Fishery Enhancement Plan." These projects include the Fremont Weir modification/floodplain enhancement, Lisbon Weir fish passage enhancements, Putah Creek fish passage enhancements, and Sacramento Weir improvements.
 2. McCormack Williamson Tract habitat restoration project. The Corps is authorized to participate along with The Nature Conservancy and other Federal and State agencies, in the design, evaluation, engineering, permitting, and implementation of the McCormack-Williamson Tract, which was identified as a priority for early BDCP implementation on January 21, 2010 by the BDCP Steering Committee.
 3. Prospect Island tidal habitat restoration – assist the Department of Water Resources by evaluating opportunities to improve flood management and evaluating the nexus to the Deepwater Ship Channel.
 4. Pilot program – riparian habitat - - For purposes of this section, the Secretary may allow appropriate vegetation deemed environmentally significant from a Federal interest on levees under the Corps jurisdiction within the Delta
 5. Pilot Program – flood management - - the Secretary is further authorized, as a pilot project, to implement reservoir reoperations to incorporate climate change, weather forecast-based operations, and coordinated operations to enhance habitat restoration and flood resilience.
- (a) Flood Management - - within two years of the passage of the Act, the Secretary shall complete a study of the flood management capacities of the flood management system

within the Bay Delta watershed and assess the ability to provide flood protection under future conditions that include climate change. Such study shall also assess the ability of the flood management system to help meet the co-equal goals of the Delta for ecosystem restoration and water supply reliability and may serve as the basis to amend the CALFED levee stability program. The study authorized in this section shall be closely coordinated, and to the extent possible, be integrated with the California Department of Water Resources led FloodSAFE study, and the Sacramento-San Joaquin Delta Islands and Levees Feasibility Study and the Sacramento-San Joaquin Comprehensive Basin Study which are authorized Corps of Engineers projects that are related to FloodSAFE.

- (1) As part of development of the Delta Plan authorized in November 2009 as California SBX7 1, the Secretary shall cooperate with the Delta Stewardship Council and the California Department of Water Resources in the development of a strategic levee investment plan for the Delta that considers the co-equal goals of the Delta and future conditions that include climate change.
- (b) The Secretary shall carry out the requirements of this section in cooperation with the State of California.
- (c) Authorization of Appropriations - - there is authorized to be appropriated to carry out this section \$155,000,000.